

Opening Statement of the Honorable Fred Upton
Committee on Energy and Commerce
Markup on H.R. 1549, H.R. 1580, and H.R. 3
April 17, 2013

(As Prepared for Delivery)

The committee will consider three bills at markup today. Collectively, the bills put consumers first by standing up for Internet freedom, working to ensure the most vulnerable receive health care, and finally, delivering jobs and affordable energy through an important component of our plan for North American energy independence.

I'd like to first discuss a bill that works to protect Internet freedom. Last Congress, both chambers passed a resolution directing our delegation at the World Conference on International Telecommunications "to promote a global Internet free from government control." That resolution helped unite the United States and more than 50 other countries in opposing treaty proposals that would subject the Internet to regulation at the hands of a United Nations agency and facilitate Internet censorship by foreign governments.

Such threats unfortunately continue to grow. That is why we are taking language from last year that unanimously passed the House and Senate and converting it from a sense of Congress about a specific treaty negotiation to a general statement of U.S. policy. We have worked hard to address concerns raised by Ranking Members Waxman and Eshoo and to gather support from a broad range of organizations who stand in support of our efforts to promote Internet freedom. With minor language changes that we all agreed achieves our shared objective, the text is the same as the bill marked up in subcommittee. This is an important step in showing our nation's resolve and it will send an important signal to the international community. I urge my colleagues to lock arms in bipartisan support for the current multi-stakeholder process and to vote for Internet freedom.

The committee will also consider H.R. 1549, the Helping Sick Americans Now Act - a bill members on both sides of the aisle can support. While we may have our disagreements on health reform, both Republicans and Democrats agreed helping Americans with pre-existing conditions should be a top priority.

This legislation eliminates an unnecessary slush fund, and instead prioritizes the nation's most vulnerable who have been denied coverage because of Obamacare's broken promises. On February 15, the Centers for Medicare and Medicaid Services announced that it was suspending enrollment in the Pre-Existing Condition Insurance Plan (PCIP) altogether due to financial constraints, almost one year ahead of schedule. Two weeks ago, the committee heard testimony from a patient named Susan Zurface, who struggles with leukemia. Susan's application for PCIP was completed and ready to be sent when CMS announced they were suspending enrollment in the program.

The Helping Sick Americans Now Act would require the Secretary of HHS to transfer Fiscal Year 2013-2016 funding from the Prevention and Public Health Fund to PCIP. This transfer would allow CMS to enroll sick and chronically ill Americans who have been denied coverage because of CMS' February 15 announcement. The bill also would eliminate the statutory requirement that Americans remain uninsured for six months as a condition of eligibility. This bill is a win, win, win. It eliminates an unaccountable slush fund, it prioritizes funding for vulnerable Americans, and it cuts the deficit. I'd like to thank Chairman Pitts and Dr. Burgess for their leadership on this bill.

Lastly, the committee will also consider H.R. 3, the Northern Route Approval Act – bipartisan legislation authored by Rep. Lee Terry that will allow construction of the Keystone XL pipeline. The Keystone XL project is a critical component of our North American energy independence plan. The American people have waited patiently for over four-and-a-half years for Keystone's jobs and energy supplies, and this bipartisan bill will finally end the delays of this project once and for all. The majority of Americans support

construction of the Keystone XL pipeline, as does the majority of Congress. We received strong bipartisan votes for Keystone last Congress and I would expect this bill to garner similar support when it goes to the House floor.

During its four-and-a-half years of review, the State Department has issued over 15,000 pages of documents. Keystone has become the most studied pipeline in the history of the United States, even surpassing the lengthy review process of the Alaska pipeline in the 1970s. Other pipeline projects requiring a Presidential Permit usually take 18 to 24 months to review and approve. There is no reason to delay this landmark jobs and energy project any further. It's time to move beyond the regulatory process and build the Keystone XL pipeline. The nation will be better for it.

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